



WEB COPY

W.P(MD)No.6578 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.678 of 2026

and

W.M.P(MD)Nos.5447, 5450 and 5452 of 2026

S.Mariappan

... Petitioner

Vs.

- 1.The Additional Chief Secretary,
Government of Tamil Nadu,
The Tamil Nadu Hindu Religious Charitable and
Endowment Department,
Secretariat,
Chennai-9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments
Admin Department,
Uthmar Gandhi Salai
Nungambakkam,
Chennai-600 034
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department
Mayiladuthurai Division,
Samantharkulam,
Siththarkadu,
Mayiladuthurai Taluk and District 609 003.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,



Kumbakonam Division,
No.1, Aayikualam Road,
Kumbakonam-612 001.

5.Board of Trustees,
Arulmigu Jaganatha Pillayar Temple,
Nageshwaran Thirumanjana Street,
Kumbakonam Town and District.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 02.03.2026 in Government order(Grade) No.121 passed by the 1st respondent and quash the same as illegal and consequential direction to the respondents given by the petitioner dated 05.03.2026

For Petitioner	:Mr.E.Mareeskumar
For R1 to R4	:Mr.M.Sarangan Additional Government Pleader
For R5	:Mr.M.Shunmugr

ORDER

This writ petition is filed to call for the records relating to the order dated 02.03.2026 made in G.O.No.121 and quash the same and consequently to direct the respondents to pass orders on the representation given by the petitioner dated 03.02.2026.

2.Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the case of the petitioner is that he is an



occupation of about 377 square feet of the land in question and he is running a small idly shop in the said place. While so when eviction proceedings were initiated, the petitioner contended that the property in question is described as Sarkar Poramboke in the Government records and therefore, the temple cannot initiate steps to evict the petitioner. However, the orders were passed under Section 78 of the HR&CE Act, the petitioner filed a revision before the Commissioner and the same was also dismissed. Thereafter, the petitioner approached the Government by way of further appeal which is now dismissed by the impugned G.O., dated 02.03.2026.

3. Therefore, challenge to the impugned Government Order cannot be sustained. Alternatively, the learned counsel pleads that now the petitioner has made a representation on 05.03.2026 to regularise himself as a tenant and is undertaking to pay the arrears of rent as may be fixed by the temple authority. It is for the temple authorities to consider the same on its own merits. In any event, the consideration of the said representation and further implementation of the order of eviction cannot be dependant on each other. The authorities will be in a position to proceed with the eviction pursuant to the impugned orders.



4.In view thereof, this writ petition is disposed of on the following terms:

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(i)the impugned G.O.No.121 dated 02.03.2026 is upheld. The authorities will be free to proceed with the eviction of the petitioner.

(ii)However, when the petitioner has made a representation dated 05.03.2026, the fifth respondent shall consider the said representation and if it is willing to recognize the petitioner as tenant, can intimate the quantum of arrears payable by the petitioner and if the petitioner is also agreeable for the same, there will be no impediment for continuing or recognizing the petitioner as a tenant afresh,

(iii)The said exercise of passing orders on the representation dated 05.03.2026 shall be taken as expeditiously as possible and completed within a period of three weeks from the date of receipt of the web copy of the order. No costs. Consequently, connected miscellaneous petitions are closed.

10.03.2026

NCC:Yes/No
Ns



To

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D.BHARATHA CHAKRAVARTHY, J.

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